

Applicant : Christopher A. Rygaard
Serial No. : 10/686,897
Filed : October 15, 2003
Page : 10 of 15

Attorney's Docket No.: 18511-010001

Amendments to the Drawings:

The attached replacement sheets of drawings include changes to Figures 1-2 and replace the original sheets including Figures 1-2.

In Figure 1, a legend "Prior Art" has been added.

In Figure 2, a legend "Prior Art" has been added.

Attachments following last page of this Amendment:

Replacement Sheet (2 pages)

REMARKS

Claims 1-42 are pending. Claims 1, 10, 19, 25, and 34 are independent. Claims 1-5, 10-11, 13-14, 19-20, 25-29, and 34-38 are amended for clarity and to provide clearer antecedent basis. No new matter is added.

The Examiner rejected claims 2, 11, 20, 26, and 35 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The Examiner rejected claims 1-42 under 35 U.S.C. § 103(a) as allegedly unpatentable over “Jumping Beans,” Ad Astra Engineering, 12/3/1998, pages 1-44 (“Jumping Beans”) in view of Zhou et al. “Adaptation and Specialization for High Performance Mobile Agents,” USENIX, 1999 (“Zhou”). Applicant respectfully traverses the rejections.

Drawing Objection

The Examiner objected to FIGS. 1-3 for failing to include the legend “prior art”. Applicant has included replacement drawings adding the legend “prior art” to FIGS. 1-2. However, FIG. 3 is not prior art. For example, as recited in the specification at page 7, lines 6-7: “Figure 3 illustrates an example of a jumping application morphing system in accordance with the invention”. Applicant respectfully requests that the drawing objection be withdrawn.

Section 112 Rejections

The Examiner rejected claims 2, 11, 20, 26, and 35 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner stated that the claims are unclear with respect to which host is “a next host”. Applicant has amended claims 2, 11, 20, 26, and 35 to recite “the next host.” Applicant respectfully requests that the § 112 rejection be withdrawn.

Section 103 Rejections

Claim 1 stands rejected over Jumping Beans in view of Zhou. Claim 1, as amended, is directed to a jumping application morphing console that includes a morphing module that alters a jumping application as the jumping application jumps between hosts. The morphing module

includes instructions that determine a next host to which the jumping application is being dispatched and instructions that alter the behavior of the jumping application for the next host using a particular behavior package associated with the next host.

The Examiner acknowledges that Jumping Beans does not disclose the claimed morphing module. However, the Examiner states that Zhou discloses the claimed morphing module. Applicant respectfully disagrees. Zhou discloses a number of features associated with mobile agents. In particular, Section 3 of Zhou discloses agent morphing. *See* Zhou page 6.

In Zhou, agent morphing is discloses as changing a mobile application from a neutral (platform independent) form and a native (platform dependent) form. *See* page 6, section 3.1. The mobile agent is programmed to initially enter a new host in the neutral form and then morph to the native form. *See* page 6, section 3.1. In particular, the mobile agent morphs to the native form corresponding to the “specific platform on which it is currently running.” *See* page 6, section 3.1. Thus, the mobile agent only morphs once it has arrived at a particular host. Additionally, the mobile agent morphs back to the neutral form before jumping to the next host. *See* page 7, section 3.1.

Zhou, however, does not disclose or suggest a morphing console that alters the jumping application as the application jumps between hosts, as required by claim 1. Instead the mobile agent of Zhou only morphs when it is on a particular host and only if the host has a platform corresponding to the native form of the mobile application. Thus, Zhou explicitly teaches against morphing a jumping application while jumping between hosts. For example, Zhou discloses that the morphing matches the platform on which the mobile agent is currently running (page 6, section 3.1) and that “Agents are created and migrated in their platform independent(neutral) form” (page 10, section 4) (emphasis added). In contrast, the morphing console of claim 1 morphs the jumping application before it is dispatched to a next host. Furthermore, because Zhou does not disclose morphing during a jump, Zhou also fails to disclose or suggest a morphing console that determines which host is the next host and then alters the behavior of the jumping application for the next host, as required by claim 1.

Additionally, Zhou does not disclose or suggest a database that contains one or more behavior packages for the jumping application where each behavior package alters the behavior of the jumping application for a particular host. The Examiner's only citation from Zhou is at page 11, lines 1-3. Page 10, line 35 to page 11, line 2 reads, in pertinent part, as follows:

or (2) agent acquisition from a remote, trusted repository to which providers submit agents in forms suitable for various platforms.

The cited portion of Zhou discloses an alternative technique for providing a platform dependent (native) form of an agent residing on a particular host. In particular, once the neutral form of the mobile agent is on a particular host having a particular platform corresponding to a native form, the native form is requested from a remote location. Thus, a different form of the mobile agent is then provided to the host that has particular platform dependent characteristics. However, the cited portion of Zhou discloses sending a mobile agent having a different form, not altering the behavior of the existing neutral agent.

In contrast, claim 1 requires a database of behavior packages for the jumping application where each behavior package alters the behavior of the jumping application for a particular host. Altering the behavior of a jumping application is distinct from providing a different form of the jumping application, as disclosed by Zhou. Thus, Zhou does not disclose or suggest the database of behavior packages of claim 1.

Applicant respectfully submits that claim 1, as well as claims 2-9, which depend from claim 1, are in condition for allowance.

Claim 10 stands rejected over Jumping Beans in view of Zhou. Claim 10 is directed to a jumping application morphing console that includes means for altering the behavior of the jumping application for the next host using a particular behavior package associated with the next host when the jumping application jumps between hosts. For at least the same reasons as set forth above with respect to claim 1, claim 10, as well as claims 11-18, which depend from claim 10, are in condition for allowance.

Claim 19 stands rejected over Jumping Beans in view of Zhou. Claim 19 is directed to a computer-implemented method for altering the behavior of a jumping application that includes

receiving a jumping application during a jump from a first host, altering the behavior of the jumping application for the next host based on using a behavior package associated with the next host, and dispatching the jumping application to the next host. As set forth above with respect to claim 1, Zhou does not disclose or suggest altering the behavior of a jumping application during a jump between hosts according to a behavior package associated with the next host. Applicant respectfully submits that claim 19, as well as claims 20-24, which depend from claim 19, are in condition for allowance.

Claim 25 stands rejected over Jumping Beans in view of Zhou. Claim 25 is directed to a jumping application morphing system that includes a management and security console connected to two or more host computers where the management and security console includes a morphing module that alters a jumping application as the jumping application jumps between hosts. For at least the same reasons as set forth above with respect to claim 1, claim 25, as well as claims 26-33, which depend from claim 25, are in condition for allowance.

Claim 34 stands rejected over Jumping Beans in view of Zhou. Claim 34 is directed to a server computer for a jumping application morphing system that includes instructions that determine a next host to which the jumping application is being dispatched and instructions that alter the behavior of the jumping application for the next host based on a using a particular behavior package associated with the next host. For at least the same reasons as set forth above with respect to claim 1, claim 34, as well as claims 35-42, which depend from claim 34, are in condition for allowance.

Conclusion

Applicant respectfully requests that all pending claims be allowed.

By responding in the forgoing remarks only to particular positions taken by the Examiner, Applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, Applicants' arguments for patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, Applicant's decision to amend or cancel any claim should not be understood as implying that

Applicant : Christopher A. Rygaard
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Page : 15 of 15

Attorney's Docket No.: 18511-010001

Applicant agrees with any positions taken by the Examiner with respect to that claim or other claims.

The one-month extension of time fee in the amount of \$60 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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